

Appln. No. 09/844,273
Amdt. dated April 2, 2004
Reply to Final Rejection of January 9, 2004

REMARKS

Claims 1-30 remain in this application.

By this amendment the following actions have been taken:

Previous claim 8 has been incorporated into claim 1.

Previous claim 1 has been incorporated into claims 2, 10 and 12.

The dependency of claim 8 has been changed so that claim 8 now depends on claim 12.

This means that there are now four independent claims in the application.

They are:

Present claim 1, which has identical limitations to previous claim 8 which was indicated to be allowable, with the exception that the limitations of intermediate claim 4 have been left out.

Present claim 2, which in addition to being made independent has also been amended so that it now reads on the elected species.

Present claim 10, which is identical in its limitations to former claim 10, which was indicated to be allowable in the last Office action, and,

Present claim 12, which is identical in its limitations to former claim 12, which was indicated to be allowable in the last Office action.

In paragraph 3 of the Office action, the examiner rejected claim 2 as being indefinite because it did not seem to read on the figures of the drawings. It is asserted that claim 2 was not indefinite. A reading of claim 2 does not leave one in doubt about what is being claimed. It is clear that claim 2 recited that a central blind bore was placed in the end of the nozzle needle, and that an end of either the valve piston or an end of the thrust rod was received in the central blind bore. Thus, the rejection of claim 2 as being indefinite was not well founded.

By this amendment, however, claim 2 has been revised so that it includes alternative language (which is not indefinite alternative language) which includes that the bore can be in the guide sleeve, and the end of the valve piston or the thrust rod is received in the bore. This arrangement clearly reads on several of the embodiments, including figures 4 (and 9), the elected species.

Thus, all of the independent claims are now claims that have either been indicated to be allowable, or have not received a prior art rejection. Thus, all of the independent claims should be considered to be allowable. Further, the dependent claims should also be allowable along with the allowable independent claims on which they depend.

This means that claims 5, 6, 14-17, 20, 21 and 25, which were previously held to be withdrawn for consideration as being directed to non-elected species, can now be reinstated and allowed along with the claims on which they depend. Applicants

believe that none of these formerly non-elected species claims impart any issues to the generic claims on which they depend which would in any way make them indefinite.

With regard to claims 1 and 2, it is pointed out that the reference to Koenigswiesser et al, which has been utilized to make prior art rejections in previous Office actions, does not teach all of the structure which is now recited in claims 1 and 2.

In particular, claim 1 now recites that there is a cylindrical recess on the guide sleeve on its face end toward the nozzle needle. This recess can be seen in figure 4 as recess 22. Recess 22 accepts nozzle needle 14 within it, and the bottom of recess 22 has a bearing surface against which nozzle needle rests. See for example, applicants' specification at page 9, lines 4-9. The reference to Koenigswiesser et al simply does not have such structure.

Further, the examiner calls element 67 of Koenigswiesser et al a valve piece. Element 67 is mentioned three times in the specification of Koenigswiesser et al at column 5, lines 28, 35 and 40. Koenigswiesser et al also mentions element 67 in claims 14 and 15. In each instance, element 67 is recited to be a tube neck. It is not a valve piece. There are no valves which use element 67 to operate, and it is not seen how, as the examiner has done, element 67 can be said to be a valve piece. Looking at applicants' specification and drawings, valve piece 2 is seen to be

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part of an actual valve, having an outlet bore 3. Thus, clearly applicants' claims, all of which recite that valve piston 6 is axially displaceable and guided in a valve piece 2 distinguish over the reference to Koenigswiesser et al.

Entry of this amendment, and allowance of the claims in this application for the reasons as specified above, are courteously solicited.

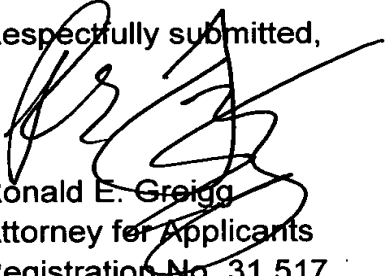
Filed concurrently herewith is a fee sheet including authorization to pay the filing fees for one additional independent claim over the three which are allowed by the initial filing fee.

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If any further fees should become due for the presentation of this amendment which have not been paid under separate cover, the Commissioner is authorized to charge payment of such fees to Deposit Account Number 07-2100.

Date: April 2, 2004

Respectfully submitted,



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